

**Town of Deerfield
Town Board Meeting Minutes
December 11th 2023**



The Deerfield Town Board held its regular monthly meeting on December 11th 2023. Present were Councilpersons Phil Sacco, Greg Sacco, Michael Collins, Dave Kolek, Supervisor Mahardy, Town Clerk Karen Day, Attorney for the Town William Schmitt & Highway Superintendant Sam Arcuri Jr. Supervisor Mahardy called the meeting to order at 6:30PM with the Pledge of Allegiance, and the Town Clerk took roll call.

MINUTES for Councilperson Kolek moved and Councilperson Collins, seconded the motion to accept the November 13th regular town Board meeting minutes.

EARLY PRIVILEGE OF THE FLOOR –
CORRESPONDENCE:

OLD BUSINESS:

NEW BUSINESS :
RESOLUTIONS:

Resolution 70- 2023	Resignation of Councilman G. Sacco - approved
Resolution 71- 2023	Resignation of Daphne Jones - approved
Resolution 72-2023	Local Law #5 -Flood Damage prevention -approved

OFFICIAL REPORTS

County Legislator Buck: absent – no report

Supervisor Scott Mahardy –

Councilperson - Philip Sacco Report given

1. -Attended Dec. 6th Planning Board meeting, the Topic was the planned development on the West side of Horatio Street. The plan was presented in detail very informative.

2. We were informed that a Air BnB is operating in an R-1 Zoning District. Cars parked in the Street violating our Local Law #1 2005. No Parking on all town Roads & Streets 1AM – 7 AM. I am currently gathering information on how to proceed addressing this issue.

- should we have a moratorium in place so the Planning Board can investigate any restrictions on future Air BnBs. Sam is installing No All night parking signs on both ends of the street.

According to Google: *is running an Air BnB considered a business? Yes it is a commercial activity because it involves renting out a Short-term rental property regularly and getting income from it. So Air Bnb hosts are considered self - employed Business owners.*

We will confer with our Town Attorney on how to move forward with this issue.

3 We are still working on options to get our Town Trash Transfer Station built. Unfortunately all bids in August 2023 come in over budget. Our goal is not to exceed \$500,00 for bonding. A \$500,00 Bond at 5% interest is \$32,400 per year. We have room for that because Supervisor Mahardy paid off the Highway Garage bond this year. To stay with the current design we have two options :

- a) Reapply for a matching grant from the Department of Interior through our Congressman Branden Williams. We were denied last April but Supervisor Mahardy is seeing if we can reapply.
- b) We capitalized \$315,00 in 2023 for the building, if we have as good of a year in 2024 as in 2023 we can move forward. We should have a good idea by the 3rd quart of 2024 if we can proceed to bid for Spring 2025 completion. We will keep you posted.

Last the heating system broke down yesterday. Supervisor Mahardy called me after he ruined his pants and my brother Greg Sr. and I came up and found the problem. Highway Superintendent Arcuri came and shut off the power to the pellet burner. I came back to meet the service Tech and isolate the problem. Hopefully it will be fixed soon.

Councilperson Greg Sacco – Nothing to report.

Councilperson Collins – Verbal Report – Spoke with a resident Mrs. Libratore who is concerned about the sand build up – Highway Superintendent Says he still intends to get it taken care of.

Councilperson Kolek – nothing to report.

Town Clerk Karen Day – report

1. Discussed moving to the Rome Sentinel for our Official Newspaper. Their prices are considerably cheaper and much more personal to work with than Observer Dispatch.
2. Discussed considering looking into a internet provider or even a better offer of service from Charter.

Highway Superintendent – Arcuri Jr.

1 - The town has an old plow out in the back of the Garage that we tried to auction off a few years ago, No one wanted it – I have a person interested in buying it – Could we sell it? Supervisor Mahardy suggested that we look to see what we can get for it under government auction again. Then it can be discussed again.

2 – Looking at buying a 20,000 lbs. tilt deck trailer.

3- looking to adda medium duty truck to the fleet for development areas only to use salt only to save on clean up. Doing some research on trucks and plowing equipment going to replace truck # 13 2007 international 7600.

- 4 – working on Some ditching we needed to complete and trimming some trees out into the roadway.
- 5 - Summer equipment is winterized and stored away.
- 6 – Going to be working on switching over the equipment from the bus to the 2013 van we bought to replace it. Also going to be working on the grader that we bought from the county.
- 7 – Received an email from Oneida County for updating the Towns Hazard Mitigation Plan per FEMA requirements.

COMMITTEE REPORTS-

Building Inspector: Jim Maxwell provided a report.

Board of Assessors George Haskell: Preparing for the 2024 Tax season

Planning Board –October: Pine Ridge Estates, Trenton Rd.: Project developer, William Gaetano, had requested that the planning board delay final approval for this subdivision. Mr. Gaetano was considering lot line adjustments to create larger lots. The planning board agreed to postpone the final approval until October 5, 2023. There has been no communication with Mr. Gaetano since November 2022. A motion was made and carried to deny approval of the proposed Pine Ridge Estates subdivision. Cornell Cooperative Extension provided a list of farms in the town that are enrolled in the NYS Agricultural District. The board will use the list to create a mailing about creating a farmland protection plan for the town. Work continued on the Wind Energy zoning update. NEC Article 694 was reviewed. November: There will be vacancy on the planning board due to Daphne Jones moving onto the town board on January 1, 2024. Gabe Greco has requested to be re-appointed to the planning board for the term 2024-2029. A motion was made and carried to recommend to the town board that Gabe Greco be re-appointed to the planning board as a member and as secretary for 2024. A motion was made and carried to recommend to the town board that Patie Goldsmith be re-appointed as chairperson for 2024. There was a request for an opinion regarding a lot line adjustment on a property on Horatio St. The planning board had no objection to the change. The board will contact Attorney Schmitt for his opinion as well. December: Representatives of ARNC Development, LLC gave a pre-submission presentation regarding their plans to develop approximately 48 acres on the west side of State Rt. 12. Plans include restaurants, a convenience store/ gas station, a 100-125 room hotel, multi-family townhomes and workforce apartment housing.

Planning Board 2024 regular meeting dates:

January 3rd

February 7th

March 6th

April 3rd

May 8th

June 5th

July 3rd

August 7th

September 4th

October 9th

November 6th

December 4th

Meetings begin at 6pm at the Municipal Building.

Zoning Board of Appeals Lura Raymo, verbal report

We will need to find a replacement for John Salerno on the ZBA board.

Town Historian- position still open

Senior Citizen Director Lura Raymo- no report submitted.

We enjoyed our Holiday luncheon at the Harts Hill Inn.

Parks Committee – Debbie Burke – NO report submitted.

Karen Day Youth Director – written report attached.

December 19th will be our last 2023 outing for the Youth Program, we are working on the new schedule to bring us through the rest of the Winter and Spring.

Youth Leader Anne Christophory -

Town Attorney: William Schmitt: Nothing to Report

MEDIA TIME - NONE

LATE PRIVILEGE OF THE Floor

Residents in the vicinity of the ClearPath Solar Facility were in attendance.:

Al Blumenstock stood to speak. He has questions for the Town Board - What do they plan to do for the residents whose home values are diminished due to this Solar Facility? Does the Town Board have any concern about it? Why doesn't the board

Mr. Blumenstock states that there is no real way to estimate the impact this has caused on the homeowner. Real estate companies and agents claim that it is difficult to say as this is an unprecedented area & that determining an accurate devaluation – we don't know. The only way to know how to find the devaluation of our homes is to put it on the market, take the average bid – compare it to the

asking price, to come up with a devalued amount. Then turn around and cancel the sales. Unfair to the buyer, realtor, and resident.

Mr. Blumenstock asked the board, "How do we as residents assist the Town Board to take care of this? I am feeling as though you do not care about us and are vague showing any interest in assisting us in this problem." Mr. Blumenstock repeated this numerous times.

Ryan O'Rourke came to speak to the board on behalf of those residents who are being impacted by this solar facility. He impressed that all who boarder or are within view of this mess, will suffer in the values of their homes. Their home values will go down, and the investment that they have made in their homes will diminish. He feels that was the Town's duty to protect their residents, and by passing this permit for the Solar facility it has directly hurt a good number of her residents. That the Town of Deerfield approved this solar facility, even though it went against the Master Plan that was put in place. Mr. O'Rourke reiterated all the reasons that this solar facility should never have happened.

He feels that the Town Board needs to consider a means to compensate these residents. He requests that perhaps the Town Board should change the Post agreement putting the residents in a position to some extend benefit by the Town taking a smaller portion and cutting checks for the residents.

Supervisor Mahardy stated that constitutionally, that is not legal to gift public funds to private residents, however he has been seeking information from the State Comptroller's office. He referred to the Town Attorney Attorney Schmitt does not believe that this can be done legally and does not feel that looking into it with the State Comptroller will do any good.

Both the attorney and Supervisor feel the best thing that could be done would be to seek new assessment values for all the homes in the related location.

Some harsh words were shared about the Town's lack of concern for those who are in this predicament. Stating that the Town Board members and Solar Committee members did not try hard enough to keep this out of our Town.

Resident & Solar Committee member Greg Sacco Sr. said that he was insulted by that remark as the committee was dedicated to developing a Solar Law and process that would protect the residents, within the law.

EXECUTIVE SESSION - none

MOTION TO PAY BILLS

Sewer Fund bill #12 Councilperson Kolek moved and Councilperson Collins, seconded a motion and the motion was approved.

Highway Fund bills #226 - 239 moved by Councilperson Collins and Councilperson Kolek voted yes, and the motion **was approved**.

General Fund bill number 393 -406 Councilpersons Sacco moved and Councilperson Collins voted yes, and the motion **was approved**.

ADJOURN : Councilperson P. Sacco made the motion and Councilperson Collins
Motion approved

Respectfully submitted,

Karen M. Day
Town Clerk
Town of Deerfield

Town of Deerfield
Year End Payables Meeting
December 28th 2023
6:00PM

The Deerfield Town Board held its Year End Payables Meeting on December 28th, 2023. Present were Councilpersons Phil Sacco, Greg Sacco, Dave Kolek, Supervisor Mahardy, Town Clerk Karen Day & Highway Superintendant Sam Arcuri Jr. Supervisor Mahardy called the meeting to order at 6:00PM with the Pledge of Allegiance, and the Town Clerk took roll call.

MOTION TO PAY BILLS

Sewer Fund bill #13 Councilperson Kolek moved and Councilperson G. Sacco, seconded a motion and the motion was approved.

Highway Fund bills #241 - 344 moved by Councilperson Greg Sacco and Councilperson Kolek voted yes, and the motion **was approved**.

General Fund bill #425 - 440 Councilpersons Sacco moved and Councilperson Kolek voted yes, and the motion **was approved**.

ADJOURN : Councilperson P. Sacco made the motion and Councilperson Kolek **Motion approved**